

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: LEEANN M. MYERS**

**CHAPTER 13**

**DEBTOR | BANKRUPTCY NO. 22-12527-PMM**

**DEBTOR'S RESPONSE AND OBJECTION TO TRUSTEE'S MOTION TO DISMISS**  
**PURSUANT TO 11 U.S.C. SECTION 1307**

**NOW COMES** the above-named Debtor, by and through her attorney of record, to provide the following response to the Trustee's Motion and to object to the relief requested. In support of Debtor's opposition, Debtor states the following:

1. This case was commenced by the filing of a Chapter 13 petition on September 21, 2022.
2. Scott F. Waterman, Esq. was subsequently appointed as the duly qualified and acting Chapter 13 Trustee.
3. Pursuant to 11 U.S.C. § 341(a), the Meeting of Creditors was held on October 25, 2022.
4. The Chapter 13 Trustee subsequently filed an objection to confirmation of the Debtor's proposed Chapter 13 Plan on December 28, 2022.
5. Debtor subsequently filed her First Amended Plan on February 1, 2023 alongside amended Schedules I, and J which reflected post-filing changes to the Debtor's circumstances and addressed the Trustee's objections.
6. Later the same day, the Chapter 13 Trustee filed a Motion to Dismiss for failure to make plan payments and for unreasonable delay.
7. Debtor asserts that she experienced post-filing employment changes and her non-filing husband experienced post-filing income fluctuation.
8. Debtor accurately and appropriately captured those changes with her first Amended Plan and supplied the income verification directly to the Chapter 13 Trustee.

9. Debtor asserts that she has re-commenced payment through the TFS Bill Pay system as of February 10, 2023.
10. Debtor asserts, therefore, that she caused no unreasonable delay and has resumed her payments.

**WHEREFORE**, the Debtor respectfully requests the Court deny the Trustee's Motion to Dismiss in its entirety.

Dated: February 13, 2023

Respectfully Submitted,

/s/ Nicholas G. Platt  
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